

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Patentee : Takeya Okamoto

Appln. No. : 09/109,784

Filed : July 2, 1998

Title : Interactive Communication System for Communicating
Video Game and Karaoke Software

Patent No. : 6,193,520

Issued : February 27, 2001

Docket No. : A849.17-0004

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FILED VIA EFS-WEB
February 14, 2008

In conformity with the notice appearing in the May 6, 1969 Official Gazette, Applicant requests a Certificate of Correction in connection with the above-identified patent.

Form PTO-SB/44 entitled CERTIFICATE OF CORRECTION setting out the errors has been completed and is enclosed. Applicant respectfully requests that the enclosed Certificate be approved and signed by an Attesting Officer, and that a copy be returned to Applicant's attorney for attachment to the original Certificate of Letters Patent.

The errors requested to be corrected are related to the claim for benefit of priority under 35 U.S.C. 120 of earlier-filed applications (specifically, to add a reference to related applications for which priority under 35 U.S.C. 120 was claimed). This application was filed prior to November 29, 2000, and therefore the version of 37 C.F.R. 1.78 that was in effect as of November 29, 2000 applies. This version of 37 C.F.R. 1.78 is reproduced below:

37 CFR 1.78 Claiming benefit of earlier filing date and cross-references to other applications.

(a)

(1) A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of **35 U.S.C. 112**. In addition, each prior application must be:

(i) An international application entitled to a filing date in accordance with **PCT Article 11** and designating the United States of America; or

(ii) Complete as set forth in § 1.51(b); or

(iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or

(iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(l) within the time period set forth in § 1.53(f).

(2) Except for a continued prosecution application filed under § 1.53(d), any nonprovisional application claiming the benefit of one or more prior filed copending nonprovisional applications or international applications designating the United States of America must contain a reference to each such prior application, identifying it by application number (consisting of the series code and serial number) or international application number and international filing date and indicating the relationship of the applications. Unless the reference required by this paragraph is included in an application data sheet (§ 1.76), the specification must contain or be amended to contain such reference in the first sentence following any title. The request for a continued prosecution application under § 1.53(d) is the specific reference required by **35 U.S.C. 120** to the prior application. The identification of an application by application number under this section is the specific reference required by **35 U.S.C. 120** to every application assigned that application number. Cross-references to other related applications may be made when appropriate (see § 1.14(a)).

(3) A nonprovisional application other than for a design patent may claim an invention disclosed in one or more prior filed copending provisional applications. In order for a nonprovisional application to claim the benefit of one or more prior filed copending

provisional applications, each prior provisional application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of **35 U.S.C. 112**. In addition, each prior provisional application must be entitled to a filing date as set forth in § **1.53(c)**, have any required English-language translation filed therein within the time period set forth in § **1.52(d)**, and have paid therein the basic filing fee set forth in § **1.16(k)** within the time period set forth in § **1.53(g)**.

(4) Any nonprovisional application claiming the benefit of one or more prior filed copending provisional applications must contain a reference to each such prior provisional application, identifying it as a provisional application, and including the provisional application number (consisting of series code and serial number). Unless the reference required by this paragraph is included in an application data sheet (§ **1.76**), the specification must contain or be amended to contain such reference in the first sentence following any title.

In accordance with M.P.E.P. 1481.03(II)(A), a Certificate of Correction can be used, with respect to 35 U.S.C. 120 priority, to correct the failure to make reference to a prior copending application pursuant to 37 C.F.R. 1.78(a)(2), if all requirements set forth in 37 C.F.R. 1.78(a)(1) have been met in the application which became the patent to be corrected, and if it is clear from the record of the patent and the parent application(s) that priority is appropriate. If these conditions are met, a Certificate of Correction can be used to amend the patent to make reference to a prior copending application.

In this case, the conditions for using a Certificate of Correction to correct the failure to make reference to prior copending applications are met. First, all of the requirements set forth in 37 C.F.R. 1.78(a)(1) have been met in this application. Specifically, each prior application names as an inventor at least one inventor named in the later-filed nonprovisional application. U.S. Application No. 08/232,862 filed April 25, 1994 (now U.S. Patent No. 5,489,103) and U.S. Application No. 08/555,400 filed November 9, 1995 (now U.S. Patent No. 5,735,744) each name Takeya Okamoto as the sole inventor, and later-filed nonprovisional U.S. Application No. 09/109,784 (now U.S. Patent No. 6,193,520, the patent being corrected) also names Takeya Okamoto as the sole inventor. The inventor's invention as claimed in at least one claim of U.S. Patent No.

6,193,520 is also disclosed in the prior applications in the manner provided by the first paragraph of 35 U.S.C. 112. Second, it is clear from the record of U.S. Application No. 09/109,784 (now U.S. Patent No. 6,193,520) and the parent applications that priority is appropriate. U.S. Application No. 09/109,784 was filed with an executed Declaration that listed both U.S. Application No. 08/232,862 (now U.S. Patent No. 5,489,103) and U.S. Application No. 08/555,400 (now U.S. Patent No. 5,735,744) as being claimed for benefit under 35 U.S.C. 120. A copy of the Declaration is submitted with this Request via EFS-Web. This shows that the Applicant intended to claim the benefit of these applications under 35 U.S.C. 120, but inadvertently failed to make a specific reference to the applications in the specification.

In view of the foregoing, it is respectfully requested that a Certificate of Correction be issued in this patent to correct the claim for benefit of priority under 35 U.S.C. 120 by adding a reference to the related applications for which priority under 35 U.S.C. 120 was claimed, according to the attached Form PTO-SB/44. The Commissioner is authorized to charge Deposit Account 11-0982 in the amount of \$100, since all the errors requested to be corrected were Applicant's errors. This charge will be handled via an online payment in EFS-Web.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 2/14/08

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

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PATENT NO. : 6,193,520 *B1*
APPLICATION NO. : 09/109,784
ISSUE DATE : February 21, 2001
INVENTOR(S) : Takeya Okamoto

It is certified that an error appears or errors appear in the above-entitled patent and that said Letters Patent is hereby corrected as shown below:

Title Page (63)

On Front Page under Related U.S. Application Data
delete "Continuation-in-part of application No. 08/642,560, filed on
May 3, 1996, now Pat. No. 5,775,995." and insert
--This application is a continuation-in-part of U.S. Application No. 08/642,560
filed on May 3, 1996, now U.S. Patent No. 5,775,995, which is a divisional of
U.S. Application No. 08/555,400 filed on November 9, 1995, now U.S. Patent
No. 5,735,744, which is a continuation-in-part of U.S. Application No. 08/232,862
filed on April 25, 1994, now U.S. Patent No. 5,489,103.--

Column 1, Lines 5 and 6, delete "This is a Continuation-in-Part of Application
Ser. No. 08/642,560 filed May 3, 1996, now U.S. Pat. No. 5,775,995." and insert
--This application is a continuation-in-part of U.S. Application No. 08/642,560
filed on May 3, 1996, now U.S. Patent No. 5,775,995, which is a divisional of
U.S. Application No. 08/555,400 filed on November 9, 1995, now U.S. Patent
No. 5,735,744, which is a continuation-in-part of U.S. Application No. 08/232,862
filed on April 25, 1994, now U.S. Patent No. 5,489,103.--

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